

Attorney Docket No. 9000-0057.01

PATENT

Express Mail Label No.: EL985 780 278 US

Date of Deposit: 8/27/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of POTTER et al.

Serial No.: CON of 09/878,766

Examiner: Unassigned

Confirmation No.:

Art Unit: Unassigned

Filed: On even date

For: IMMUNIZATION OF DAIRY CATTLE WITH CHIMERIC GapC PROTEIN
AGAINST STREPTOCOCCUS INFECTION

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☐ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO-1449 is enclosed.
- ☒ No copies of the publications listed on the attached Form PTO-1449 are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 09/878,766 to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Publication(s) _____ listed on the attached Form PTO-1449 were cited in a foreign search or examination report corresponding to _____ application serial no. _____ and mailed on _____.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) _____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) _____ cited in the attached Form PTO-1449.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed with the herein continuation application.

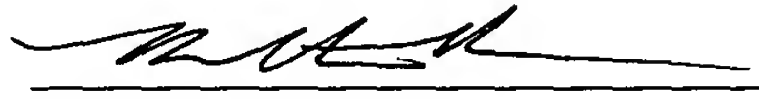
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO-1449 to the undersigned.

Dated: 8/27/03

Respectfully submitted,

Robins & Pasternak LLP
1731 Embarcadero Road, Suite 230
Palo Alto, CA 94303
Tel: (650) 493-3400
Fax: (650) 493-3440

By:



Roberta L. Robins
Reg. No. 33,208

Mail Stop Patent Application
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

FORM PTO-1449 (Modified)
 LIST OF PATENTS AND PUBLICATIONS
 FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT
 (Use several sheets if necessary)
 Sheet 1 of 4

In the Application of POTTER et al.

Serial No.: CON of 09/878,766

Art Unit: Unassigned

Filed: On even date

Examiner: Unassigned

Title: IMMUNIZATION OF DAIRY CATTLE WITH CHIMERIC GapC PROTEIN AGAINST
 STREPTOCOCCUS INFECTION

U.S. PATENT DOCUMENTS

Exam. Init.	Ref. Desig.	Document No.	Date	Name	Class	Sub Class	Filing Date
	A1	4,954,618	09-04-1990	Fahnestock			
	A2	4,977,082	12-11-1990	Boyle et al.			
	A3	5,108,894	04-28-1992	Bjorck et al.			
	A4	5,198,215	03-1993	de Cueninck et al.	424	243.1	
	A5	5,237,050	08-17-1993	Boyle et al.			
	A6	5,328,996	07-12-1994	Boyle et al.			
	A7	5,721,339	02-24-1998	Boyle et al.			
	A8	5,863,543	01-26-1999	Jiang et al.			
	A9	6,063,386	05-2000	Dale et al.	424	184.1	
	A10	6,391,316	05-2002	Potter et al.	73	241	
	A11	2001/0014335	04-16-2001	Saitoh et al.	424	199.1	

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Mail Stop Patent Application
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

FORM PTO-1449 (Modified)
 LIST OF PATENTS AND PUBLICATIONS
 FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT
 (Use several sheets if necessary)
 Sheet 2 of 4

In the Application of POTTER et al.

Serial No.: CON of 09/878,766

Art Unit: Unassigned

Filed: On even date

Examiner: Unassigned

Title: IMMUNIZATION OF DAIRY CATTLE WITH CHIMERIC GapC PROTEIN AGAINST
 STREPTOCOCCUS INFECTION

FOREIGN PATENT DOCUMENTS

Exam. Init.	Ref. Desig.	Document No.	Publication Date	Country or Patent Office	Class	Sub Class	Translation YES NO	
	B1	EP 0 887 410	30 December 1998	EPO				
	B2	WO 00/39299	6 July 2000	PCT				
	B3	WO 93/14198	July 1993	PCT				
	B4	WO 96/40928	19 December 1996	PCT				
	B5	WO 96/41879	December 27, 1996	PCT				
	B6	WO 98/18930	May 7, 1998	PCT				
	B7	WO 99/42588	August 26, 1999	PCT				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Exam. Init.	Ref. Desig.	Description
	C1	Baird et al., "Epitopes of Group A Streptococcal M Protein Shared With Antigens of Articular Cartilage and Synovium," <i>The Journal of Immunology</i> <u>146</u> (9):3132-3137 (1991)

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Mail Stop Patent Application
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

FORM PTO-1449 (Modified)
 LIST OF PATENTS AND PUBLICATIONS
 FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT
 (Use several sheets if necessary)
 Sheet 3 of 4

In the Application of POTTER et al.

Serial No.: CON of 09/878,766

Art Unit: Unassigned

Filed: On even date

Examiner: Unassigned

Title: IMMUNIZATION OF DAIRY CATTLE WITH CHIMERIC GapC PROTEIN AGAINST
 STREPTOCOCCUS INFECTION

Exam. Init.	Ref. Desig.	Description
	C2	Bisno, Alan. L., "Group A Streptococcal Infections and Acute Rheumatic Fever," <i>New Eng J. Med.</i> <u>325</u> :783-793 (1991)
	C3	Bowie et al., "Deciphering the message in protein sequences: tolerances to amino acid substitutions," <i>Science</i> <u>247</u> :1306-1310, 1990
	C4	Bronze et al., "Epitopes of Streptococcal M Proteins that Evoke Antibodies That Cross-React with Human Brain," <i>The Journal of Immunology</i> <u>151</u> (5):2820-2828 (1993)
	C5	Cunningham et al., "Study of Heart-Reactive Antibody in Antisera and Hybridoma Culture Fluids Against Group A Streptococci," <i>Infection and Immunity</i> <u>42</u> (2):531-538 (1983)
	C6	Dale, J. L., "Multivalent Group A Streptococcal Vaccine Designed to Optimize the Immunogenicity of Six Tandem M Protein Fragments," <i>Vaccine</i> <u>17</u> (2):193-200 (1999)
	C7	Dale, J. L. and Beachy, G. H., "Multiple, Heart-Cross Reactive Epitopes of Streptococcal M Proteins," <i>J. Exp. Med.</i> <u>161</u> :113-122 (1995)
	C8	Dale, J. L. and Beachy, G. H., "Protective Antigenic Determinant of Streptococcal M Protein Shared With Sarcolemmal Membrane Protein of Human Heart," <i>J. Exp. Med.</i> <u>156</u> :1165-1176 (1985)
	C9	Finch et al., "Further Studies on the Efficacy of a Live Vaccine Against Mastitis Caused by Streptococcus <i>Uberis</i> ," <i>Vaccine</i> <u>15</u> (10):1138-1143 (1997)
	C10	Froude et al., "Cross-Reactivity Between Streptococcus and Human Tissue: A Model of Molecular Mimicry and Autoimmunity," <i>Microbiology and Immunology</i> <u>145</u> :5-26 (1989)

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Mail Stop Patent Application
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

FORM PTO-1449 (Modified)
 LIST OF PATENTS AND PUBLICATIONS
 FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT
 (Use several sheets if necessary)
 Sheet 4 of 4

In the Application of POTTER et al.

Serial No.: CON of 09/878,766

Art Unit: Unassigned

Filed: On even date

Examiner: Unassigned

Title: IMMUNIZATION OF DAIRY CATTLE WITH CHIMERIC GapC PROTEIN AGAINST
 STREPTOCOCCUS INFECTION

Exam. Init.	Ref. Desig.	Description
	C11	Gase et al., "Cloning Sequencing and Functional Overexpression of the Streptococcus Equisimilis H46A gapC Gene Encoding a Glyceraldehyde-3-Phosphate Dehydrogenase that also Functions as a Plasmin(ogen)-Binding Protein. Purification and Biochemical Characterization of the Protein," <i>European Journal of Biochemistry</i> <u>239</u> (1):42-51 (1996)
	C12	Hafid et al., "Glyceraldehyde-3-phosphate dehydrogenase from tetrahymena pyriformis: enzyme purification and characterization of a gapC gene with primitive eukaryotic features," <i>Comparative Biochemistry and Physiology B</i> 119:493-503, 1998
	C13	Kehoe, Michael A., "Group A Streptococcal Antigens and Vaccine Potential," <i>Vaccine</i> <u>9</u> :797-806 (1991)
	C14	Lancefield, Rebecca C., "Current Knowledge of Type-Specific M Antigens of Group A Streptococci," <i>J. of Immunology</i> <u>89</u> :307-313 (1962)
	C15	Langone, John J., "Protein A of <i>Staphylococcus aureus</i> and Related Immunoglobulin Receptors Produced by Streptococci and Pneumococci," <i>Advances in Immunology</i> <u>32</u> :167 (1982)
	C16	Liljeqvist et al., "Surface Display of Functional Fibronectin-Binding Domains on <i>Staphylococcus carnosus</i> ," <i>FEBS Letters</i> <u>446</u> :299-304 (1999)
	C17	Stollerman, G. H., "Rheumatogenic Streptococci and Autoimmunity," <i>Clin. Immunol. Immunopathology</i> , <u>61</u> :131-142 (1991)

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.